MT LEGISLATIVE HISTORY

Chapter 327 1985

Bill (H) 654 S _____ Original bill & hist. ___C

H. Committee on Local Govt.		S. Committee on Local Govt.	
Hearing Date(s) Mar 23	✓C	Hearing Date(s) Feb 14	✓C
_____	___C	_____	___C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out Mar 23	✓C	Feb 14	✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

MON[illegible] LEGISLATIVE [illegible]NCIL BILL STATUS SYST[illegible]
FINAL COMMITTEE [illegible]ORT OF REFERRED BILLS
COMMITTEE--(S) LOCAL GOVERNMENT

RUN TIME ....[illegible]:07
RUN DATE.... 04/29/85

CHAIRMAN--FULLER, DAVE
NORMAL SCHEDULE==> SITE: ROOM 405 DAYS: TU-TH-SAT TIME: 12:30-2:30 P.M.

SECRETARY-GHILARDI, CHERYL

--BILL NO---	REFER DATE---	HEARING DATE---	CONSIDERATION DATES----------	COMMITTEE ACTION----------	REREFERRED TO COMM----	DATE OUT-
HB0612	2/15	3/26		TABLED		
ADDY, KELLY			INCREASED ASSESSMENT OPTIONS FOR SPECIAL IMPROVEMENT DISTRICTS			
HB0653	2/22	3/14		CONCUR		3/14
HAMMOND, JOE			INCREASING SALARIES OF COMMISSIONERS IN SMALLER COUNTIES			
HB0654	2/22	3/23		CONCUR		3/23
PAVLOVICH, ROBERT J. (BOB)			ALLOCATE CERTAIN MOTOR VEHICLE OPERATION FINES TO SHERIFF			
HB0673	2/21	3/19	3/21 3/23 3/28	CONCUR AS AMENDED		3/28
KADAS, MIKE			ADVANCING TIME FOR TESTING LOCAL PETITION VALIDITY IN COURT			
HB0683	2/16	3/28		CONCUR		3/28
CONNELLY, MARY ELLEN			COUNTY PARK BOARD - COUNTY ORDINANCE FOR RULE ENFORCEMENT AND PARK WARDEN			
HB0687	2/22	3/28		CONCUR		3/28
FRITZ, HARRY			COUNTY AND MUNICIPAL FINANCE RECORDS RETENTION SCHEDULES			
HB0727	2/22	3/19		CONCUR AS AMENDED		3/19
HANSEN, STELLA JEAN			RULEMAKING AUTHORITY OF LOCAL HEALTH BOARDS RE: SEWER SYSTEMS			
HB0736	2/22	3/26	3/28	ADVERSE REPORT		3/28
LORY, EARL C.			SECURITY FOR REVOLVING FUNDS FOR IMPROVEMENT DISTRICTS			
HB0746	2/22	3/16		CONCUR		3/16
O'CONNELL, HELEN G.			WATER METER SIZE RATIOS AS ASSESSMENT OPTION FOR FIRE HYDRANT DISTRICTS			
HB0768	3/05	3/21		CONCUR		3/21
BRADLEY, DOROTHY			EXEMPT CERTAIN CONDOMINIUMS FROM SUBDIVISION REVIEW			
HB0791	3/06	3/21	3/23 3/28	CONCUR AS AMENDED		3/28
BRANDEWIE, RAY			REVISING DEFINITION OF SUBDIVISION			

CONSIDERATION OF HOUSE BILL 654: Representative Bob Pavlovich, District #70, is the sponsor of this bill. The bill was introduced to provide that certain motor vehicle operation fines be allocated to the county general fund.

PROPONENTS

John Scully, representing the Montana Sheriffs and Peace Officers Association, spoke in favor of the bill. He said counties pick up medical costs of prisoners, which is an obligation of the sheriff's budget. The money comes out of the sheriff's budget but they do not get reimbursed from the county.

OPPONENTS

There were no opponents to HB 654.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee regarding HB 654.

The hearing was closed on HB 654.

ACTION TAKEN ON HOUSE BILL 654. Senator McCallum moved that HB 654 BE CONCURRED IN. The motion passed unanimously. Senator Lynch will carry the bill.

CONSIDERATION OF HOUSE BILL 900: Representative Marjorie Hart, District #23, is the sponsor of this bill. The bill was introduced to provide that a peace officer with a lapse in employment as a peace officer exceeding three but less than five years may fulfill his basic peace officer training requirements by passing an equivalency test. Representative Hart submitted a letter of support from a Dawson county commissioner and the Glendive Mayor. It is attached as Exhibit A to these minutes.

PROPONENTS

Gordon Morris, representing the Montana Association of Counties, stated his support of the bill.

OPPONENTS

There were no opponents to HB 900.

Chairman Fuller opened the hearing for Committee questions.

Senator McCallum expressed concern as to what would happen if an officer quit during their probationary period before attending training.

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

49th
~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 3-23-85

SENATE SEAT #	NAME	PRESENT	ABSENT	EXCUSED
13	Senator Crippen, Bruce			✓
18	Senator Eck, Dorothy	✓		
11	Senator Harding, Ethel	✓		
47	Senator Hirsch, Les	✓		
4	Senator McCallum, George	✓		
28	Senator Mohar, John (V.Chair)	✓		
14	Senator Pinsoneault, Dick			✓
19	Senator Regan, Pat	✓		
21	Senator Story, Pete	✓		
43	Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

DATE 3-25-85

COMMITTEE ON Local Govt

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Oppose
D. Smith	Sheriffs Pension Fund	HB 457	X	
"	"	H.B 654	X	
Carl Smith	Gwinnett County Sheriff's Dept.	HB 457	X	
Dave Duggan	Gwinnett County Sheriff's Dept.	H.B 457	X	
Dave Bauer	Dist 69	HB900		
Rep. Bob Pavlovich	# 70	900		
B Morris	MACo	900	✓	

(Please leave prepared statement with Secretary)

STANDING COMMITTEE REPORT

MARCH 25 19 95

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE BILL No. 654

THIRD reading copy (BLUE color)

(LYNCH WILL CARRY)

ALLOCATE CERTAIN MOTOR VEHICLE OPERATION FINES TO SHERIFF

Respectfully report as follows: That HOUSE BILL No. 654

BE CONCURRED IN

~~DO PASS~~

~~DO NOT PASS~~

Senator Dave Fuller Chairman.

(To be kept current -- post bills when entering being heard or leaving committee.)

Form CS

STATUS SHEET

49th LEGISLATIVE SESSION

COMMITTEE ON LOCAL GOVERNMENT

HOUSE BILLS

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
HB 642	2-2-85	2-16-85	2-16-85		AS AMENDED 2-16-85				
HB 647	2-2-85	2-14-85	2-14-85		2-14-85				
HB 653	2-4-85	2-16-85	2-16-85			2-16-85			
HB 654	2-4-85	2-14-85	2-14-85			2-14-85			
HB 673	2-5-85	2-12-85	2-12-85			2-12-85			
HB 683	2-5-85	2-9-85	2-9-85		2-9-85				
HB 687	2-5-85	2-14-85	2-14-85			2-14-85			
HB 727	2-8-85	2-12-85	2-14-85			2-14-85			
HB 736	2-8-85	2-16-85	2-16-85			2-16-85			
HB 746	2-8-85	2-16-85	2-16-85	2-16-85					
HB 776	2-11-85	2-16-85	TABLED 2-16-85						
HB 768	2-11-85	2-14-85	Re-referred to TAXATION			2-13-85			
HB 804	2-12-85	3-26-85 2-21-85	3-26-85			3-26-85 3-21-85			
HB 813	2-13-85	2-14-85	2-14-85	2-14-85					
HB 818	2-13-85	2-14-85	2-14-85			2-14-85			
HB 829	2-15-85								

Use a separate sheet for Senate, House Bills, and Resolutions

The smaller districts are not able to invest because of limited funds. Investing is a timely process, but it is important. She stated that the committee's support of this bill would be greatly appreciated. She then read written testimony from Gloria Paladichuk of Sidney, who represents the Montana State Treasurers Association. This is attached as exhibit 2.

OPPONENTS: Gordon Morris, representing the Montana Association of Counties, said they oppose this piece of legislation as it proposes to implement for a yearly increase of $3,000. He suggested an amendment to line 12, to insert "as determined by the board of county commissioners" after compensation, as these are matters that are best left to the county commissioners. And to impose a $3,000 increase puts an added burden on the county. In closing, he said he would like to request that if the bill is adopted, it should be amended to leave it to the county commissioners.

In closing, Rep. Cobb told the committee they may wish to give parameters to amending the bill.

CONSIDERATION OF HOUSE BILL NO. 654: Rep. Pavlovich of District 70, Butte, appeared as sponsor of this bill. He said this bill provides that certain motor vehicle operation fines be allocated to the county sheriff fund rather than to the road fund.

PROPONENTS: John Scully, representing the Sheriff and Peace Officers, stated they continue to go through problems of local government with regards to funding. The logic that the money just goes into the road fund doesn't apply any more. They feel it is more appropriate this money should be given back to the sheriffs. It is inappropriate to go to the road fund.

Gordon Morris, representing the Montana Association of Counties, requested line 25 be amended to require the money be credited to the general fund.

OPPONENTS: There were no opponents present.

In closing, Rep. Pavlovich said he has no problem with the proposed amendment. If they want to put it in the general fund, it is okay with him.

DISCUSSION OF HOUSE BILL NO. 654: Rep. Pistoria said they have a problem in his county where they don't have enough money to take care of their county roads. He asked Mr. Morris if other counties wouldn't be in trouble by taking money from the roads and putting it into the sheriff fund. Mr. Morris replied that the general funds in the counties are in more trouble than the road funds. There are fewer at the maximum in the road funds than in the general fund.

seconded by Rep. Kitselman. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 496: Rep. Brown moved to DO PASS, seconded by Rep. Kadas. Chairman Darko moved the amendments, and Rep. Brown seconded them. Lee Heiman explained the technical amendments. Question was called for and motion PASSED UNANIMOUSLY. Rep. Brown then moved to DO PASS AS AMENDED, seconded by Rep. Kitselman. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 545: Rep. Sales made the motion of DO NOT PASS, seconded by Rep. Kitselman. Rep. Kadas asked why he was trying to kill it. Rep. Sands asked Rep. Sales what is wrong with adding an amendment to make it discretionary with the commissioners. Rep. Sales answered that it is giving them the right to raise wages of one in the courthouse, but not the rest.

Rep. Brown moved to amend line 12, following compensation, to insert "as determined by the board of county commissioners" and on line 13, strike "is $3,000" and insert after administrator "shall be fixed at not less than $500 or no more than $3,000". Amendment died for lack of a second to the motion. Rep. Brandewie stated he thinks the committee should stick with HB 514 and give everyone raises.

Question being called for, Rep. Sales' motion CARRIED, with Rep. Brown voting no.

DISPOSITION OF HOUSE BILL NO. 654: Rep. Brown moved to DO PASS HB 654, and this was seconded by Rep. Kitselman. Rep. Kadas moved to amend line 25 by striking "sheriff" and inserting "general fund", and also include them in the title. This was seconded by Rep. Sales. Amendment CARRIED. Rep. Brown then moved to DO PASS AS AMENDED, seconded by Rep. Kadas.

Rep. Pistoria said this does not make any sense, and Rep. Switzer said he would have to vote against it.

Question was called for, and Rep. Brown's motion PASSED, with Rep. Pistoria and Rep. Switzer voting no.

DISPOSITION OF HOUSE BILL NO. 483: Rep. Brown moved a DO PASS, seconded by Rep. Kadas. Rep. Kitselman moved to amend and this was seconded by Rep. Kadas. Question being called for, amendment PASSED. Rep. Brown then moved to DO PASS AS AMENDED HB 483, and this was seconded by Rep. Gilbert. Motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 484: Rep. Kitselman moved that HB 484 DO PASS, seconded by Rep. Fritz. Rep. Sands moved to amend, and this was seconded by Rep. Kitselman. Rep.

(Type in committee members' names and have 50 printed to start).

DAILY ROLL CALL

LOCAL GOVERNMENT COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date Feb. 14, 19

NAME	PRESENT	ABSENT	EXCUSED
Paula Darko, Chairman	✓		
Norm Wallin, Vice Chairman	✓		
Ray Brandewie	✓ late		
Dave Brown	✓		
Harry Fritz	✓		
Stella Jean Hansen	✓		
Bob Gilbert	✓		
Mike Kadas	✓		
Les Kitselman	✓		
Paul Pistoria	late		
Bing Poff	✓		
Walter Sales	✓		
Jack Sands	✓		
Dean Switzer	✓		

VISITORS' REGISTER

Local Government COMMITTEE

BILL NO. HB 654 DATE Feb. 14, 1985

SPONSOR Rep. Pavlovich

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
L. Mozis	MACo	Amend.	
Rep Pavlovich	HD 40	✓	
Bob Skelly	Skelly	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

February 14, 1985

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 534

FIRST reading copy (WHITE color)

ALLOCATE CERTAIN MOTOR VEHICLE OPERATION FINES TO SHERIFF.

Respectfully report as follows: That HOUSE Bill No. 534

BE AMENDED AS FOLLOWS:

1. Title, line 6.
Strike: "SHERIFF"
Insert: "GENERAL FUND"

2. Page 1, line 25.
Strike: "sheriff"
Insert: "general fund"

AND AS AMENDED,

DO PASS

PAULA DARKO, Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY